

**OFFICE OF THE FEDERAL PUBLIC DEFENDER
DISTRICT OF MARYLAND**

NORTHERN DIVISION
TOWER II, NINTH FLOOR
100 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-2705
TEL: (410) 962-3962
FAX: (410) 962-3976
TOLL FREE: (855) 213-8450
EMAIL: Katherine_Newberger@fd.org

JAMES WYDA
FEDERAL PUBLIC DEFENDER

KATHERINE TANG NEWBERGER
FIRST ASSISTANT FEDERAL PUBLIC DEFENDER

November 1, 2023

Hon. Lydia K. Griggsby
U.S. District Court
6500 Cherrywood Lane
Greenbelt, MD 20770

Re: United States v. Matthew Browndorf
Criminal Case No. LKG-22-00291

Dear Judge Griggsby:

I write on behalf of the parties to provide the status report requested by the Court in its Oct. 27, 2023, order. ECF No. 33. A grand jury returned an 8-count indictment against Mr. Browndorf on August 16, 2022. The indictment alleges four counts of wire fraud, in violation of 18 U.S.C. § 1343, and four counts of money laundering, in violation of 18 U.S.C. § 1957, from May 2018 to January 2019 when Plutos Sama LLC owned BP Fisher, a law firm in Maryland. Mr. Browndorf was the CEO of Plutos Sama. The Court issued a summons, and Mr. Browndorf made his initial appearance in the District of Maryland on September 19, 2022. Judge Sullivan released Mr. Browndorf, and he returned to Orange County, California, where he has long resided.

After his initial appearance in Maryland, Mr. Browndorf was indicted in the Eastern District of Wisconsin on tax-related charges stemming from Plutos Sama's ownership of BP Peterman, a law firm in Brookfield, Wisconsin, from 2017 to 2019. *See* ECF 1, *United States v. Matthew Browndorf*, 22-cr-252 (E.D. Wis. Dec. 6, 2022). On July 13, 2023, Mr. Browndorf entered a guilty plea to Count Nine of the indictment, admitting failure to pay \$12,688.32 of payroll taxes to the IRS on April 30, 2019, in violation of 26 U.S.C. § 7202. His sentencing is currently scheduled for November 30, 2023, in Milwaukee.

Meanwhile, in the District of Maryland, the government has been providing voluminous discovery, and the parties have been working together to resolve some technological issues with some of the discovery. While the production of discovery remains ongoing, the parties submitted a status report to Judge Xinis on September 1, 2023, asking the Court to schedule a trial date. ECF No. 23. Before a scheduling conference call could be held, Judge Sullivan scheduled a bail review hearing based on a notice of apparent violation filed by U.S. Probation on September 11, 2023. Because Mr. Browndorf had to travel from California for the hearing, the Court set the hearing for October 12, 2023. In the interim, Judge Xinis held a recorded scheduling conference call, ECF No. 26, but when she learned that Mr. Browndorf would be

United States v. Matthew Browndorf, LKG-22-00291

Joint Status Report

Page 2

coming to Maryland for a bail review hearing, she deferred setting a schedule until he could appear before her immediately after the bail review hearing.

Mr. Browndorf appeared for the bail review hearing on October 12, 2023. ECF No. 27. Beforehand, the parties were informed that Judge Xinis would not hold a scheduling conference after the hearing. At the conclusion of the bail review hearing, Judge Sullivan entered a temporary order of detention. ECF No. 28. He set in a continuation of the bail review hearing for October 16, at the conclusion of which, he entered an order of detention. ECF No. 31. Mr. Browndorf was held locally for a week, and then the Marshals transferred him to the Eastern District of Wisconsin for his upcoming sentencing hearing there. He is now being held in Wisconsin.

After Mr. Browndorf was detained, the parties reached out to Judge Xinis, asking again to set a trial date. The case was then transferred to Your Honor. There are no pending motions for the Court to resolve. The parties continue to request that the Court set a trial date. The Court has scheduled an initial scheduling conference for December 5, 2023, at 4 p.m.

Respectfully,

/s/

Katherine Tang Newberger
First Assistant Federal Public Defender

cc: Matthew Phelps & Stephanie Williamson, Assistant United States Attorneys
Cynthia Frezzo, Assistant Federal Public Defender